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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,067	07/05/2001	Shunpei Yamazaki	12732-054001	1355
26171	7590	07/26/2004	EXAMINER	
FISH & RICHARDSON P.C. 1425 K STREET, N.W. 11TH FLOOR WASHINGTON, DC 20005-3500				GILMAN, ALEXANDER
ART UNIT		PAPER NUMBER		
		2833		

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/898,067	YAMAZAKI, SHUNPEI
	Examiner	Art Unit
	Alexander D Gilman	2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 14 May 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 34-37,39 and 41-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 34-37,39 and 41-53 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1.) Notice of References Cited (P.T.O-892) \_\_\_\_\_
- 2.) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4.) Interview Summary (P.T.O-413) \_\_\_\_\_  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5.) Notice of Informal Patent Application (PTO-152)
- 6.) Other: \_\_\_\_\_

**DETAILED ACTION*****Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 34, 35, 38-45 rejected under 35 U.S.C. 102(e) as being anticipated by Yamazaki et al.

With regard to claims 34, 35, 38-45, Yamazaki et al (US 6,384,427) disclose a method of manufacturing of a light emitting device, said method comprising steps of ( col. 7, lines 8-19):

introducing gas from compressor into processing chamber;

pressurizing the processing chamber to pressure equal or higher than atmospheric pressure (col. 7, line 9);

forming EL layer.

With regard to claims 49-51, Yamazaki et al disclose a method of manufacturing of a light emitting device, said method comprising steps of :

introducing a substrate in a chamber;

making an atmosphere in the chamber containing a first solvent;

printing a luminescence material dissolved in a second solvent by a screen printing.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34-37, 39, 41-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porowski et al in view of Yamazaki et al.

With regard to claims 34-37, 39, 41, 46, 47, 48-53, Porowski et al (US 6,329215) disclose a method of manufacturing of a light emitting device, said method comprising steps of ( col. 2, lines 44-53):

introducing gas from compressor into processing chamber;

pressurizing the processing chamber to pressure equal or higher than atmospheric pressure (col. 2, line 67);

forming EL layer.

Porowski et al do not disclose that EL layer being formed by printing and making an atmosphere in the processing chamber contain a solvent.

Yamazaki et al (US 6,420200) disclose EL layer being formed by printing (col. 8 line 56-57) ,line 3) and making an atmosphere in the processing chamber contain a solvent (col. 9, lines 2-8).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to print the EL layer on the Porowski et al substrate (instead of using vapor deposition method) , as taught by Yamazaki et al , to utilize the Porowski method for polymer type organic EL.

With regard to claims 42-45, Porowski et al when modified by Yamazaki et al disclose a light emitting device selected from a group consisting a display devices (col. 1, lines 18-23).

#### ***Response to Arguments***

Applicant's arguments with respect to claims 34-37, 39, 41-48, 50, 52, and 53 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

07/19/2004



**ALEXANDER GILMAN**  
**PRIMARY EXAMINER**